

### **REMARKS**

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed December 9, 2005.

Claims 1 and 41 were rejected.

Claims 1-68 were originally presented. Claims 1-68 remain in the application. Claims 2-33 and 42-68 have been withdrawn. No claims have been amended. No claims have been added.

#### **Double Patenting**

Claims 1 and 41 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 8, 41, 43 or 58 of copending Application No. 10/613,540. A terminal disclaimer is attached to overcome this rejection. The present application and copending Application No. 10/613,540 are commonly owned.

Claims 1 and 41 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 12 of US Patent No. 6,925,187. A terminal disclaimer is attached to overcome this rejection. The present application and US Patent No. 6,925,187 are commonly owned.

Claim 1 and 41 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 15 of US Patent No. 6,044,160. A terminal disclaimer is attached to overcome this rejection. The present application and US Patent No. 6,044,160 are commonly owned.

## CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 1 and 41 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. Upon allowance of a generic claim, Applicant is entitled to consideration of claims to additional species.

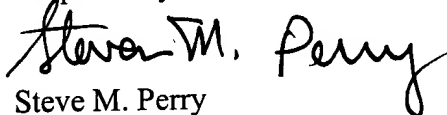
If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Steve M. Perry at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

No claims were added. Check No. 25269, in the amount of \$420.00, is enclosed pursuant to 37 C.F.R. § 1.17(a)(1), for a two month extension of time pursuant to 37 C.F.R. § 1.136 and the 3 terminal disclaimer fees.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 9<sup>th</sup> day of May, 2006.

Respectfully submitted,



Steve M. Perry  
Registration No. 45,357

THORPE NORTH & WESTERN, LLP  
Customer No. 20,551  
P.O. Box 1219  
Sandy, Utah 84091-1219  
Telephone: (801) 566-6633